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PTO/SB/65 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**Docket Number (Optional)  
20208.0002U1Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300**RECEIVED****MAR 16 2010**NOTE: If information or assistance is needed in completing this form, please contact Petition Information at (571) 272-3282. **OFFICE OF PETITIONS**Patent Number: 6,302,845Application Number: 09/272,764Issue Date: 10-16-2001Filing Date: 03-19-1999**CAUTION:** Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

03/15/2010 DALLEN 00000017 6302845

The above-identified patent:

01 FC:1599

1190.00 OP

☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_;  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

March 9, 2010

Date

Signature

Beverly Hopkins

Typed or printed name of person signing Certificate

Refund Ref:  
10/31/2012

0030117646

Adjustment date: 10/31/2012 CKHLOK  
03/15/2010 DALLEN 00000017 6302845  
01 FC:1599

-1190.00 OP

Credit Card Refund Total: \$1190.00

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

| NOT Small Entity                  |             |        | Small Entity                                    |             |        |
|-----------------------------------|-------------|--------|---|-------------|--------|
| Amount                            | Fee         | (Code) | Amount  | Fee         | (Code) |
| <input type="checkbox"/> \$ _____ | 3 ½ yr fee  | (1551) | <input checked="" type="checkbox"/> \$ 490.00   | 3 ½ yr fee  | (2551) |
| <input type="checkbox"/> \$ _____ | 7 ½ yr fee  | (1552) | <input checked="" type="checkbox"/> \$ 1,240.00 | 7 ½ yr fee  | (2552) |
| <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (1553) | <input type="checkbox"/> \$ _____               | 11 ½ yr fee | (2553) |

MAINTENANCE FEE BEING SUBMITTED \$ 1,730.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 700.00

## 5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ \_\_\_\_\_
- ☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_
- ☒ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- ☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. 14-0629

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**7. OVERPAYMENT**

As to any overpayment made, please

☒ Credit to Deposit Account No. 14-0629

OR

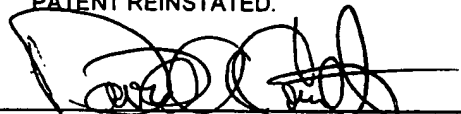
☐ Send refund check

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO 2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

**8. SHOWING**

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

**9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**

Signature(s) of Petitioner(s)

David A. Cornett

Typed or printed name(s)

999 Peachtree Street, Suite 1000

Address

Atlanta, Georgia 30309

Address

March 9, 2010

Date

48,417

Registration Number, if applicable

678-420-9300

Telephone Number

**ENCLOSURES:**

- ☒ Maintenance Fee Payment  
☒ Statement why maintenance fee was not paid timely  
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☒ Other: Return Postcard

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND                         |                                   |   |                 |            |  |  |    |  |  |  |  |
|---|-----------------------------------|---|-----------------|------------|--|--|----|--|--|--|--|
| 1 Date of Request: <u>6/19/12</u>                     |                                   | 2 Serial/Patent # <u>6,302,845</u>  |                 |            |  |  |    |  |  |  |  |
| 3 Please refund the following fee(s):                 |                                   | 4 PAPER<br>NUMBER   | 5 DATE<br>FILED | 6 AMOUNT   |  |  |    |  |  |  |  |
|   | Filing                            |   |                 | \$         |  |  |    |  |  |  |  |
|   | Amendment                         |   |                 | \$         |  |  |    |  |  |  |  |
|   | Extension of Time                 |   |                 | \$         |  |  |    |  |  |  |  |
|   | Notice of Appeal/Appeal           |   |                 | \$         |  |  |    |  |  |  |  |
|   | Petition                          | 1   |                 | \$         |  |  |    |  |  |  |  |
|   | Issue                             |   |                 | \$         |  |  |    |  |  |  |  |
|   | Cert of Correction/Terminal Disc. |   |                 | \$         |  |  |    |  |  |  |  |
| <input checked="" type="checkbox"/>                   | Maintenance                       | TFW   | 3/9/10          | \$ 1,190   |  |  |    |  |  |  |  |
|   | Assignment                        |   |                 | \$         |  |  |    |  |  |  |  |
|   | Other                             |   |                 | \$         |  |  |    |  |  |  |  |
|   |                                   | 7 TOTAL AMOUNT<br>OF REFUND   |                 | \$1,190.00 |  |  |    |  |  |  |  |
|   |                                   | 8 TO BE REFUNDED BY: <u>Credit</u>  |                 |            |  |  |    |  |  |  |  |
|   |                                   | Treasury Check <u>Card</u>  |                 |            |  |  |    |  |  |  |  |
|   |                                   | Credit Deposit A/C #:   |                 |            |  |  |    |  |  |  |  |
|   |                                   | 9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;">--</td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table> |                 |            |  |  | -- |  |  |  |  |
|   |                                   | --  |                 |            |  |  |    |  |  |  |  |
| 10 REASON:  |                                   |   |                 |            |  |  |    |  |  |  |  |
|   | Overpayment                       |   |                 |            |  |  |    |  |  |  |  |
|   | Duplicate Payment                 |   |                 |            |  |  |    |  |  |  |  |
| <input checked="" type="checkbox"/>                   | No Fee Due (Explanation):         |   |                 |            |  |  |    |  |  |  |  |
| 1.378(c) petition DENIED                              |                                   |   |                 |            |  |  |    |  |  |  |  |
| 11 REFUND REQUESTED BY:                               |                                   |   |                 |            |  |  |    |  |  |  |  |
| TYPED/PRINTED NAME: <u>Kenya A. McLaughlin</u>        |                                   | TITLE: <u>Petitions Attorney</u>  |                 |            |  |  |    |  |  |  |  |
| SIGNATURE: <u>/kenyamclaughlin/</u>                   |                                   | PHONE: <u>571-272-3222</u>  |                 |            |  |  |    |  |  |  |  |
| OFFICE: <u>Office of Petitions</u>                    |                                   |   |                 |            |  |  |    |  |  |  |  |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** |                                   |   |                 |            |  |  |    |  |  |  |  |
| APPROVED: <u><i>Chick</i></u>                         |                                   | DATE: <u>10/31/12</u>   |                 |            |  |  |    |  |  |  |  |

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

**Office of Finance  
Refund Branch  
Crystal Park One, Room 802B**